

# Ensuring Equal Access for Transgender Applicants and Students in the Job Corps Program

Wesley Garson & Robin Runge  
U.S. Department of Labor  
Civil Rights Center

April 23, 2015

# Definitions

- Transgender
- Gender Identity
- Gender Expression
- Gender Non-Conforming
- Transition
- Transgender Woman
- Transgender Man
- Sex Reassignment Surgery
- Questions about other terms?

# Background Information

- Transgender students and applicants are participating and should feel welcome in Job Corps
- Transgender students will be in various stages of transition
- These students may need support or individual arrangements while enrolled in Job Corps
- Transgender individuals, like all Job Corps participants and applicants, should be treated with **dignity and respect**

# Ensuring Equal Access

- If Job Corps staff/contractors are aware that an applicant is transgender – Talk to the applicant, when appropriate, to discuss possible issues of concern, including, but not limited to:
  - Names, Pronouns, and Records
  - Dress and Appearance
  - Housing, Restroom, and Shower Access
  - Disclosure of Transgender Status
  - Entrance Physical Examination and Medical Issues

# Names, Pronouns, and Records

- Always use the student's desired name and respective pronoun in all interactions with the student
- When a student's legal name and/or gender are not required on official documentation, use the student's desired name and pronoun
- When required by law to use a student's legal name, be as discrete as possible

# Dress and Appearance

- All Job Corps students must wear appropriate attire for their trade
- Transgender students may dress in attire consistent with the dress code of their gender identity
- General note: Dress and appearance codes that differ based on gender must have a legitimate, nondiscriminatory rationale

# Housing, Restroom, and Shower Access

- Have a discussion with the student about appropriate housing options, guided by consideration of
  - The student's safety
  - The student's preference
- Primary and overriding factor – **The student's gender identity**
- Under no circumstances should a transgender student be forced to room separately from other students – they may, however, request to be roomed separately
- Concerns of staff, parents, and other students may need to be considered and addressed
- These guidelines apply to the use of all gender-segregated facilities, e.g. locker rooms, showers, bathrooms

# Disclosure of Transgender Status

- Treat a student's transgender status as you would any other deeply personal life experience or medical issue
- If a transgender student is willing to talk about his or her experience, discussions must be appropriate in tone and content
- Staff should not ask a transgender student medically-related questions unless necessary to address issues relevant to his or her care at Job Corps
- Do not engage or permit students or staff to engage in gossip or rumor-spreading



# Entrance Physical Examinations and Medical Issues

- Medical staff must follow best practice protocol based on the needs of the student – guided in part by the student's identity and physiology
- Most transgender students in the Job Corps age group will not have undergone any gender-related surgeries, due to age and financial constraints, though some may have initiated hormone therapy
- Staff will facilitate a student's access to any medical care regimen obtained prior to enrolling
- While it is possible, rarely will a transgender student beginning a regimen of medical care require medical separation

# Moving from Job Corps to the Workforce

- Transgender students entering the workforce often face additional career planning challenges
- Career Transition Counselors may need additional training to help transgender students make the most of resources in the local area

# Student and Staff Training

- Incorporate education about gender identity and gender expression into diversity and equal opportunity compliance training for students and staff
  - Webinar schedules are posted on [JobCorps.gov](http://JobCorps.gov)
  - Technical assistance available through the National Office Health and Wellness Unit
  - U.S. Department of Labor's Civil Rights (CRC) conducts trainings and is available for technical assistance
- Students and staff should be aware of the complaint process available through CRC

Civil Rights Center  
ATTENTION: Office of External Enforcement  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Room N4123  
Washington, DC 20210

<http://www.dol.gov/oasam/programs/crc/external-enforc-complaints.htm>

Fax: (202) 693-6505

Email: [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)

# Additional Resources

- DOL Policies on Gender Identity: Rights and Responsibilities – <http://www.dol.gov/oasam/programs/crc/20130712GenderIdentity.htm>
- Guidance Regarding the Employment of Transgender Individuals in the Federal Workplace – <http://www.opm.gov/diversity/Transgender/Guidance.asp>
- Information on how to file a complaint with the EEOC – <http://www.eeoc.gov/employees/charge.cfm>
- Information on filing a complaint with the Office of Federal Contract Compliance Programs – <http://www.dol.gov/ofccp/regs/compliance/pdf/pdfstart.htm>
- Answers to Your Questions About Transgender People, Gender Identity, and Gender Expression – <http://www.apa.org/topics/lgbt/transgender.aspx>
- Know Your Rights — Transgender People and the Law - <https://www.aclu.org/know-your-rights/transgender-people-and-law>
- Contact Information:
  - Wesley Garson – [Garson.Wesley.M@dol.gov](mailto:Garson.Wesley.M@dol.gov)
  - Robin Runge – [Runge.Robin.R@dol.gov](mailto:Runge.Robin.R@dol.gov)
  - U.S. Dept. of Labor's Civil Rights Center – [CRCEXternalComplaints@dol.gov](mailto:CRCEXternalComplaints@dol.gov)